

UNITED STATES DISTRICT COURT

DISTRICT OF HAWAII
OFFICE OF THE CLERK
300 ALA MOANA BLVD., RM C-338
HONOLULU, HAWAII 96850

Sue Beitia
Clerk of Court

TEL (808) 541-1300
FAX (808) 541-1303

September 18, 2006

Clare E. Connors, Esq.
Office of the U.S. Attorney
Prince Kuhio Federal Building
300 Ala Moana Blvd., Suite 6100
Honolulu, Hi 96850


IN RE: U.S.A v. James Troiano
CR NO. 05-00261 HG-01

Dear Counsel:

Pursuant to Rule 3(d) FRAP, you are hereby notified that a Notice of Appeal was filed in the above-entitled case on September 11, 2006.

All counsel (or Pro Se) should read and follow the enclosed instructions. Thank You.

Sincerely,
Sue Beitia, Clerk

By  Anna F. Chang
Deputy Clerk

Enclosures

cc: Clerk, 9th CCA w/copy of NA,
docket sheet, dfmf
Walter R. Schoettle, Esq.
with copy of instructions for criminal appeals
Transcript Desig. & Ordering Form
with instructions and a copy of the
docket sheet

Memorandum

Date: September 18, 2006

To: Parties in U.S. vs. James Troiano

D.C. No.: CR 05-00261 HG-01

From: Clerk, United States District Court

By: Criminal Appeals Deputy Clerk

Re: Criminal Appeals Expediting Program

The attached time schedule has been established pursuant to the Criminal Appeals Expediting Program of the U.S. Court of Appeals for the Ninth Circuit. Please note the due dates or payment of the docketing fee (if not already paid or proceeding under the CJA) and for designating the court reporter's transcript, if any. These dates are set under guidelines established by the Court of Appeals, and any modification of the dates can only be authorized by that court.

A copy of your notice of appeal and other docketing information is being mailed to the court of Appeals forthwith. You will receive a docketing letter from the Court of Appeals with the appeal number and other essential information within a few days.

If there is any uncertainty as to appellant's financial ability or counsel's willingness to prosecute the appeal, these questions should be brought immediately to the attention of the district judge or to the Court of Appeals. Failure to adhere to the attached time schedule may result in dismissal of the appeal and/or disciplinary measures against counsel of record. See Ninth Circuit Rule 42-1; Ninth Circuit Rules Appendix, 2-5.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

DOCKET FEE PAYMENT NOTIFICATION FORM

- I. **SHORT CASE TITLE:** U.S.A. vs. James Troiano
U.S. COURT OF APPEALS DOCKET NUMBER: _____
U.S. DISTRICT COURT FOR THE DISTRICT OF HAWAII
U.S. DISTRICT COURT DOCKET NUMBER: CR 05-00261 HG-01
- II **DATE NOTICE OF APPEAL FILED:** September 11, 2006
- III **U.S. COURT OF APPEALS PAYMENT STATUS:**
DOCKET FEE PAID ON: _____ **AMOUNT:** _____
NOT PAID YET: ☒ **BILLED:** Mr. Schoettle to file Motion for Leave to Proceed IFP on
appeal.
U.S. GOVERNMENT APPEAL: _____ **FEE WAIVED:** _____
WAS APPELLANT OR APPELLEE GRANTED F.P. STATUS? Yes
IF YES, SHOW DATE: CJA 20: 6/22/05, 7/22/05, 10/13/05
WAS F.P. STATUS REVOKED: _____ **DATE:** _____
WAS F.P. STATUS LIMITED IN SOME FASHION?
IF YES, EXPLAIN: _____
- IV **COMPANION CASES, IF ANY:** _____
- V. **COMPLETED IN THE U.S. DISTRICT COURT BY:**
Anna F. Chang

AMENDED NOTIFICATION _____ PAID _____ F.P. _____

DISTRICT COURT CLERK BY: _____

(Note: This form is only utilized to notify the U.S. Court of Appeals concerning the satisfaction of the U.S. Court of Appeals Docket Fee.)

TO: Clerk, U.S. Court of Appeals

FROM: Clerk, U.S. District Court, Hawaii

SUBJECT: New Appeals Docketing Information, Criminal Case

Date: September 18, 2006

CASE INFORMATION

COMPLETE TITLE: U.S.A. vs James Troiano

U.S.D.C CASE NO. CR 05-00261 HG-01

U.S.D.C. JUDGE: Helen Gillmor

(✓) COMPLAINT filed: 05/19/2005, (✓) INDICTMENT filed: 06/22/2005; (✓) SUPERSEDING Indictment filed: 10/05/2005.

APPEALED ORDER FILED: September 12, 2006

NOTICE OF APPEAL FILED: September 11, 2006

COUNSEL INFORMATION

APPELLANT:
Walter R. Schoettle, Esq.
P.O. Box 596
Honolulu, Hawaii 96809-0596

APPELLEE:
Clare E. Connors, Esq.
Office of the U.S. Attorney
Prince Kuhio Federal Building
300 Ala Moana Blvd., Suite 6100
Honolulu, Hi 96850

(List multiple counsel on separate sheet and attach.)

APPOINTED BY: RETAINED: Previous CJA appointments on 6/22/05, 7/22/05, 10/13/05.
(e.g. C.J.A., Public Defender, Other.)

DEFENDANT INFORMATION

F/P GRANTED: —

NO OF DAYS OF TRIAL: 8

CUSTODY: X

BAIL: —

COUNSEL WAIVED: —

COURT REPORTER(S):
FTR; Stephen Platt; Cynthia Fazio; Sharon Ross;
Debra Chun